Case 3:11-cv-01214-RS Document 17 Filed 04/15/11 Page 1 of 3 *E-Filed 4/15/11* 1 JENNIFER LEE TAYLOR (161368) WILLIAM A. CHRISTOPHER (244125) 2 MORRISON & FOERSTER LLP 425 Market Street 3 San Francisco, CA 94105-2482 Telephone: (415) 268-7000 4 Facsimile: (415) 268-7522 5 Attorneys for Plaintiff NIMBUS DATA SYSTEMS, INC. 6 COOLEY LLP 7 JANET L. CULLUM (104336) (jcullum@cooley.com) ANGELA L. DUNNING (212047) (adunning@cooley.com) AARON M. FENNIMORE (251602) (afennimore@cooley.com) 8 Five Palo Alto Square 9 3000 El Camino Real Palo Alto, CA 94306-2155 10 Telephone: (650) 843-5000 Facsimile: (650) 857-0663 11 Attorneys for Defendant 12 NIMBLE STORAGE, INC. 13 UNITED STATES DISTRICT COURT 14 NORTHERN DISTRICT OF CALIFORNIA 15 SAN FRANCISCO DIVISION 16 17 NIMBUS DATA SYSTEMS, INC., Case No. CV:11-1214 RS 18 Plaintiff. STIPULATED REQUEST FOR ORDER EXTENDING BRIEFING SCHEDULE AND 19 **HEARING DATE ON NIMBUS DATA** v. 20 SYSTEMS, INC.'S MOTION FOR NIMBLE STORAGE, INC., **PRELIMINARY INJUNCTION** 21 Defendant. 22 Date: May 12, 2011 Time: 1:30 p.m. 23 Dept. Judge: Honorable Richard Seeborg 24 25 26 27 28 STIPULATED REQ. FOR CONTINUATION OF HEARING AND EXTENDED BRIEFING SCHEDULE

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Pursuant to Northern District of California Local Rule 6-2, Plaintiff Nimbus Data		
Systems, Inc. ("Nimbus Data") and Defendant Nimble Storage, Inc. ("Nimble Storage")		
(collectively, the "Parties"), through their respective counsel of record, hereby stipulate and agree		
as follows:		
WHEREAS, Nimbus Data filed its Motion for Preliminary Injunction on April 7, 2011 (the		
"Motion"), seeking to enjoin Nimble Storage from continuing to use NIMBLE and NIMBLE		
STORAGE as trademarks and trade names on the ground that such use constitutes trademark		
infringement and is likely to cause consumer confusion;		
WHEREAS, the hearing date on the Motion is currently scheduled for May 12, 2011 at		
1:30 p.m. before the Honorable Richard Seeborg;		
WHEREAS, Nimble Storage's deadline to file an opposition to the Motion is currently set		
for April 21, 2011, and Nimbus Data's deadline to file a reply is currently set for April 28, 2011;		
WHEREAS, Nimble Storage requested, and Nimbus Data agreed, to extend the briefing		
schedule on the Motion so as to allow Nimble Storage an adequate opportunity to investigate and		
respond to the issues raised in the Motion;		
WHEREAS, the Parties and the Court would benefit from a short extension of time to allow		
the parties to fully brief the issues raised by the Motion; and		
WHEREAS, there have been no other time modifications requested or granted in the case;		
Now, Therefore, subject to the approval of this Court, and in accordance with Northern		
District of California Local Rule 6-2, the Parties hereby stipulate and agree as follows:		
1. The hearing date on the motion is continued to Thursday, June 9, 2011 at 1:30 p.m.		
in Courtroom 3 before the Honorable Richard Seeborg;		
2. The deadline for Nimble Storage to file a brief in opposition to the Motion and any		
evidence in support thereof is extended to Monday, May 9, 2011; and		

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1	3. The deadline for Nimbus Data to file its reply brief in support of the Motion is		
2	extended to May 26, 2011.		
3	IT IS SO STIPULATED.		
4 5	Batoa: 71pm 71, 2011	JENNIFER LEE TAYLOR (161368) WILLIAM A. CHRISTOPHER (244125) MORRISON & FOERSTER LLP	
6			
7		By: /s/	
8		By: /s/ Jennifer Lee Taylor	
9		Attorneys for Plaintiff NIMBUS DATA SYSTEMS, INC.	
10		COOLEVIID	
11	Dated: April 14, 2011	COOLEY LLP JANET L. CULLUM (104336)	
12		ANGELA L. DUNNING (212047) AARON M. FENNIMORE (251602)	
13			
14		By:Angela L. Dunning	
15		Angela L. Dunning	
1617		Attorneys for Defendant NIMBLE STORAGE, INC.	
18	FILER'S ATTESTATION		
19	Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that		
20	all parties have concurred in the filing of this Stipulated Request for Order Extending Briefing		
21	Schedule and Hearing Date on Nimbus Data Systems, Inc.'s Motion for Preliminary Injunction.		
22			
23		/s/ Angela L. Dunning	
24	IT IS SO ORDERED.		
25		\mathcal{A} 1101	
26	Date:4/15/11	Hillselm	
27		HONORABLE RICHARD SEEBORG UNITED STATES DISTRICT JUDGE	
28			
		STIPULATED REQ. FOR CONTINUATION OF HEARING AND EXTENDED BRITEING SCHEDULE	

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